REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-15 are pending in the application and stand rejected.

Claims 1, 9, 10 and 15 have been amended.

Claims 8 and 14 have been cancelled.

Claims 1-15 stand rejected under 35 USC §103(a) as being unpatentable over Sindhu (USP no. 5,440,698) in view of Foster (USP no. 6,202,007).

Applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, independent claim 1 has been amended to further recite that the system including a local memory and that the memory device and local memory share a single address space in which an address range distinguishes between the memory device and the local memory. No new matter has been added. Support for the amendment may be found at least in cancelled claims 8 and 14 and on page 6, line 34-page 7, line 3.

Sindhu discloses an arbitration system for resolving contention on synchronous packet switched busses to ensure that all devices serviced by such a bus are given bounded time access to the bus and to permit such devices to fill all available bus cycles with packets. Flow control for shared memory is implemented by supporting different types of arbitration requests and prioritization of such requests by type.

Foster (6, 202,097) discloses a method for performing diagnostic functions in a multiprocessor data processing system. Foster is cited by the Office Action for teaching

a communication interface positioned on a single chip, wherein the memory device is not positioned on the single chip.

The Office Action refers to Sindu for teaching that the subject matter recited in claims 8 and 14. The Office Action refers to col. 5, lines 20-23 of Sindhu for teaching a cache-like hierarchy, and col. 16, lines 44-52 for teaching shared write updating "which implies a shared address space." Col. 22, line 41- col. 23, line 27 are also referred to for teaching that when data is not found in lower memory, a higher memory is checked and when the lower level cache is updated. The Office Action concludes that Sindhu implicitly teaches a shared memory similar to that recited in the claims.

However, a review of the referred to section reveals that Sindu discloses a system wherein the memory is organized with different bit setting to determine the position of data in the cache memories and global memory. See, for example, col. 23, lines 1-54, which state, "[w]henever the second-level cache 19a receives a RBRqst from a resquestor on its cluster bus 15a, the second-level cache 19a may or may not contain a copy of the data block specified by the RBRqst. If it has a copy, the second-level cache returns the data to the requestor ... after setting the reply Shared bit in the reply packet to the logically ORed SharedIn value of (a) the SharedOut signals that it receives from the first level caches as a result of the RBRqst and (b) the current state of its shared bit for the specified data block ... If, on the other hand, the second-level cache 19a does not have a copy of the data block that is specified by the RBRqst ... the second-level cache 19a issues a RBRqst packet on the global bus... When a second level cache, such as cache 19a, receives a WSRqst from a requestor on its cluster bus, the cache 19a checks to determine if its shared bit for the data block containing the address specified by the

WSRqst is set. If its shared bit for that particular data block is not set, the second level cache 19a updates the data in accordance with the WSRqst, sets its owner bit for the updated block and then issues a WSRply ... via its cluster bus. ..."

Hence, Sinhdu teaches that a check for a copy of the data is made in the memory and if a copy is not available in the local memory (cache) then a next level of memory is checked. However, Sinhdu fails to disclose that the global and local memories are organized such that an address range defines the particular memory. Rather Sindhu performs checks on the data content to determine whether the data is in a lower level and dependent upon the shared bit setting performs additional processing with a higher level memory.

Foster fails to provide any teaching regarding the use of address ranges for distinguishing global and local memories as is recited in the claims.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met, 1. there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings, 2. there must be a reasonable expectation of success; and 3. the prior art reference must teach or suggest all the claim limitations.

In this case, a *prima facie* case of obviousness has not been made as each of the elements recited in the claims is not disclosed by the combination of Sindhu and Foster.

For the amendments made to the independent claims and for the remarks made herein, applicant submits that the rejection of the independent claim 1 has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the remaining claims, these claims depend from independent claim 1, which has been shown to include subject matter not disclosed by the combination of Sindhu and Foster. Consequently, the remaining dependent claims are also not rendered obvious by Sindhu and Foster as the remaining dependent claims also include subject matter not disclosed by Sindhu and Forster. .
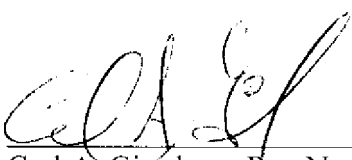
For at least the remarks above, applicant submits that the rejection of the dependent claims has been overcome and respectfully requests that the rejection be withdrawn.

For at least amendments made to the claims and for the remarks made herein, applicant submits that all the objections and rejections have been overcome and that the claims are in a condition for allowance. A Notice of Allowance is respectfully requested be issued.

Should the Examiner believe that the disposition of any issues arising from this response may be best resolved by a telephone call, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Respectfully submitted,
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Date: 3/10 , 2008

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